

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**JAMES R. COWART, #L5075**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 5:05cv123DCB-JCS**

**MISSISSIPPI DEPARTMENT OF CORRECTIONS,  
et al.**

**DEFENDANTS**

**FINAL JUDGMENT**

This cause is before the court, sua sponte, for consideration of dismissal. As reflected in the Memorandum Opinion and Order of the court issued this day, the plaintiff's claims are not cognizable under 42 U.S.C. § 1983. Consequently, it is hereby, ORDERED AND ADJUDGED that this cause be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), with prejudice, for failure to state a claim upon which relief may be granted.

Since this case is dismissed in accordance with the above mentioned provision of the Prison Litigation Reform Act, it will be counted as a "strike" pursuant to 28 U.S.C. § 1915(g). SO ORDERED AND ADJUDGED, this the 14<sup>th</sup> day of June, 2006.

S/DAVID BRAMLETTE  
UNITED STATES DISTRICT JUDGE